

**** NOTICE:** This is only a preliminary draft of the City-County Council agenda prepared by the Council staff pursuant to Sec. 161-5(b) and may not be complete. The President of the Council has not determined the order of business for this meeting pursuant to Sec. 151-71. The agenda will be final only when approved by the Council at the meeting.

AGENDA

CITY COUNTY COUNCIL

AND THE

INDIANAPOLIS POLICE, FIRE, AND SOLID WASTE COLLECTION

SPECIAL SERVICE DISTRICT COUNCILS

July 26, 2010

7:00 P.M.

- I. PRAYER AND PLEDGE OF ALLEGIANCE - Councillor Coleman**
- II. ROLL CALL**
- III. INTRODUCTION OF GUESTS AND VISITORS**
- IV. OFFICIAL COMMUNICATIONS**
- V. ADOPTION OF AGENDA**
- VI. APPROVAL OF JOURNALS – June 28, 2010**
- VII. PRESENTATION OF PETITIONS, MEMORIALS, SPECIAL RESOLUTIONS, AND COUNCIL RESOLUTIONS**

PROPOSAL NO. 10, 2010 (Council Resolution)

INTRODUCED: 01/11/2010 BY: Councillor Freeman

REFERRED TO: Metropolitan Development Committee

DIGEST: reappoints Alan E. Retherford to the Metropolitan Board of Zoning Appeals, Division III

COMMITTEE ACTION:

01/25/2010 Do Pass 1-4

07/12/2010 Do Pass 8-0

VIII. INTRODUCTION OF PROPOSALS

PROPOSAL NO. 210, 2010 (Fiscal Ordinance)

INTRODUCED: 07/26/2010 BY: Councillor Pfisterer

REFERRED TO: Administration and Finance Committee

DIGEST: appropriates \$13,711,889 in the 2010 budgets of various city and county agencies, funded through transfers within characters, new revenues, and increases and reductions in certain fund balances

PROPOSAL NO. 211, 2010 (Special Resolution)

INTRODUCED: 07/26/2010 BY: Councillor Sanders

REFERRED TO: Administration and Finance Committee

DIGEST: determines the need to lease approximately 40,750 square feet of commercial office space at 3737 East Washington Street for use by the Marion County Election Board

PROPOSAL NO. 212, 2010 (Special Resolution)

INTRODUCED: 07/26/2010 BY: Councillor Pfisterer

REFERRED TO: Administration and Finance Committee

DIGEST: determines the need to lease approximately 4,300 square feet at 3125 Concord Court for use by the Warrant Section of the Law Enforcement Division

PROPOSAL NO. 213, 2010 (Council Resolution)

INTRODUCED: 07/26/2010 BY: Councillor Hunter

REFERRED TO: Public Safety and Criminal Justice Committee

DIGEST: appoints Clark G. Rehme to the Animal Care and Control Board

PROPOSAL NO. 214, 2010 (General Resolution)

INTRODUCED: 07/26/2010 BY: Councillor Vaughn

REFERRED TO: Public Safety and Criminal Justice Committee

DIGEST: approves a crime prevention initiative grant award in the amount of \$39,000 to IMAC-Hightower Development and Training Center as recommended by the Crime Prevention Advisory Board and as approved by the Mayor

PROPOSAL NO. 215, 2010 (Special Ordinance)

INTRODUCED: 07/26/2010 BY: Councillor Hunter

REFERRED TO: Public Safety and Criminal Justice Committee

DIGEST: elects to fund the operations of the public communications system and computer facilities district in 2011 with County Option Income Tax (COIT) revenues

PROPOSAL NO. 216, 2010 (Council Resolution)

INTRODUCED: 07/26/2010 BY: Councillor McHenry

REFERRED TO: Public Works Committee

DIGEST: reappoints Reginald Mallamo to the Air Pollution Control Board

PROPOSAL NO. 217, 2010 (Fiscal Ordinance)

INTRODUCED: 07/26/2010 BY: Councillor Pfisterer

REFERRED TO: Public Works Committee

DIGEST: appropriates \$9,822,167 in the 2010 Budget of the Department of Public Works (Federal Stimulus Grants Fund) for a new neighborhood-scale energy retrofit program for the City's Near Eastside Neighborhood, a residential loan program for energy improvement measures, and a subgrant to the City of Lafayette for residential energy retrofits, financed by an Energy Retrofit Ramp-up grant from the U.S. Department of Energy

VIII. INTRODUCTION OF PROPOSALS

PROPOSAL NO. 218, 2010 (General Ordinance)

INTRODUCED: 07/26/2010 BY: Councillor McHenry

REFERRED TO: Public Works Committee

DIGEST: authorizes parking restrictions for Eagle Creek Parkway north of 46th Street and Falcon Talon Lane east of Eagle Creek Parkway (District 6)

PROPOSAL NO. 219, 2010 (General Ordinance)

INTRODUCED: 07/26/2010 BY: Councillor Nytes

REFERRED TO: Public Works Committee

DIGEST: authorizes parking restrictions on the south side of 46th Street from College to Keystone Avenue (District 9)

PROPOSAL NO. 220, 2010 (General Ordinance)

INTRODUCED: 07/26/2010 BY: Councillor Gray

REFERRED TO: Public Works Committee

DIGEST: authorizes the removal of parking restrictions on the west side of Sunset Avenue from Blue Ridge Road to Lake Road (District 8)

PROPOSAL NO. 224, 2010 (General Ordinance)

INTRODUCED: 07/26/2010 BY: Councillor Hunter

REFERRED TO: Public Safety and Criminal Justice Committee

DIGEST: amends the Code to revise procedures for approval of drug free community fund expenditures

IX. SPECIAL ORDERS - PRIORITY BUSINESS

PROPOSAL NOS. 221-222, 2010 (Rezoning Ordinances)

INTRODUCED: 07/26/2010 BY: Councillor McHenry

REFERRED TO: Committee of the Whole

DIGEST: rezoning ordinances certified by the Metropolitan Development Commission on July 15, 2010

PROPOSAL NOS. 223, 2010 (Rezoning Ordinance)

INTRODUCED: 07/26/2010 BY: Councillor McHenry

REFERRED TO: Committee of the Whole

DIGEST: rezoning ordinance certified by the Metropolitan Development Commission on July 21, 2010

X. SPECIAL ORDERS - PUBLIC HEARING

PROPOSAL NO. 188, 2010 (Fiscal Ordinance)

INTRODUCED: 06/28/2010 BY: Councillor Cardwell

REFERRED TO: Metropolitan Development Committee

DIGEST: appropriates \$3,600,000 in the 2010 Budget of the Department of Metropolitan Development (Redevelopment General Fund) to fund the implementation of strategies designed to accelerate economic growth in the Downtown Indianapolis Tech Park district

COMMITTEE ACTION:

07/12/2010 Do Pass 8-0

X. SPECIAL ORDERS - PUBLIC HEARING

PROPOSAL NO. 189, 2010 (Fiscal Ordinance)
INTRODUCED: 06/28/2010 BY: Councillor Cardwell
REFERRED TO: Metropolitan Development Committee
DIGEST: appropriates \$5,300,000 in the 2010 Budget of the Department of Metropolitan Development (Redevelopment General Fund) to fund the implementation of marketing strategies designed to increase leisure travel to Indianapolis to Indianapolis and to increase the quality and quantity of conventions in the city, financed by a local grant.
COMMITTEE ACTION:
07/12/2010 Do Pass 8-0

PROPOSAL NO. 190, 2010 (Special Ordinance)
INTRODUCED: 06/28/2010 BY: Councillor Hunter
REFERRED TO: Public Safety and Criminal Justice Committee
DIGEST: re-establishes the Cumulative Firefighting Building and Equipment Fund for the Fire Special Service District of Indianapolis and provides for the continuation of the tax rate for said fund to be used for firefighting capital expenditures
COMMITTEE ACTION:
06/30/2010 Do Pass 8-0

XI. SPECIAL ORDERS - UNFINISHED BUSINESS

XII. SPECIAL ORDERS - FINAL ADOPTION

PROPOSAL NO. 148, 2010 (Special Resolution)
INTRODUCED: 05/17/2010 BY: Councillor Pfisterer
REFERRED TO: Administration and Finance Committee
DIGEST: determines the need to lease approximately 11,500 square feet of office space at 5519 West 38th Street for use as a Marion Superior Court probation office
COMMITTEE ACTION:
06/08/2010 Postpone until 6/29/2010 6-0
06/29/2010 Strike 7-0

PROPOSAL NO. 184, 2010 (General Resolution)
INTRODUCED: 06/28/2010 BY: Councillor Nytes
REFERRED TO: Administration and Finance Committee
DIGEST: approves the issuance of limited recourse notes of the Redevelopment District in an aggregate principal amount not to exceed \$5,945,928 and approves the issuance of bonds for the purpose of repaying the notes to be repaid by tax increment in the Consolidated Fall Creek Allocation Area and the Fall Creek/Citizens Consolidated HOTIF East Allocation Area
COMMITTEE ACTION:
06/29/2010 Do Pass 7-0

PROPOSAL NO. 185, 2010 (General Resolution)
INTRODUCED: 06/28/2010 BY: Councillor Day
REFERRED TO: Administration and Finance Committee
DIGEST: approves the issuance of limited recourse notes of the Redevelopment District in an aggregate principal amount not to exceed \$2,500,000 and approves the issuance of bonds for the purpose of repaying the notes to be repaid by tax increment in the Barrington HOTIF Allocation Area
COMMITTEE ACTION:
06/29/2010 Do Pass 6-1

XII. SPECIAL ORDERS - FINAL ADOPTION

PROPOSAL NO. 186, 2010 (General Resolution)

INTRODUCED: 06/28/2010 BY: Councillor Evans

REFERRED TO: Economic Development Committee

DIGEST: approves the statement of benefits of OWL Georgetown Road, LLC and MTP Georgetown Road, LLC, applicants for tax abatement for property located in an Economic Revitalization Area

COMMITTEE ACTION:

07/21/2010 Do Pass 4-0

PROPOSAL NO. 187, 2010 (General Resolution)

INTRODUCED: 06/28/2010 BY: Councillors Cardwell and Scales

REFERRED TO: Economic Development Committee

DIGEST: approves the statement of benefits of CSO Architects, Inc, an applicant for tax abatement for property located in an Economic Revitalization Area

COMMITTEE ACTION:

07/21/2010 Do Pass 4-0

PROPOSAL NO. 191, 2010 (General Ordinance)

INTRODUCED: 06/28/2010 BY: Councillor Cockrum

REFERRED TO: Public Works Committee

DIGEST: authorizes a weight limit restriction on Flynn Road from Ameriplex Parkway to Raceway Road (District 22)

COMMITTEE ACTION:

07/15/2010 Do Pass 7-0

PROPOSAL NO. 192, 2010 (General Ordinance)

INTRODUCED: 06/28/2010 BY: Councillor Scales

REFERRED TO: Public Works Committee

DIGEST: authorizes parking restrictions on Meadows Parkway on the south side from Meadows Drive to a point 275 feet northwest of Meadows Drive (District 4)

COMMITTEE ACTION:

07/15/2010 Do Pass 7-0

PROPOSAL NO. 193, 2010 (General Ordinance)

INTRODUCED: 06/28/2010 BY: Councillor Freeman

REFERRED TO: Public Works Committee

DIGEST: authorizes intersection controls in the Moeller Estates at Wildwood Farms subdivision, section eight (District 25)

COMMITTEE ACTION:

07/15/2010 Do Pass 7-0

PROPOSAL NO. 194, 2010 (General Ordinance)

INTRODUCED: 06/28/2010 BY: Councillor Freeman

REFERRED TO: Public Works Committee

DIGEST: authorizes intersection controls in the Princeton Lakes subdivision, sections one and two (District 25)

COMMITTEE ACTION:

07/15/2010 Do Pass 7-0

XII. SPECIAL ORDERS - FINAL ADOPTION

PROPOSAL NO. 195, 2010 (General Ordinance)

INTRODUCED: 06/28/2010 BY: Councillor Freeman

REFERRED TO: Public Works Committee

DIGEST: authorizes intersection controls in the Hanover North subdivision, sections two and four (District 25)

COMMITTEE ACTION:

07/15/2010 Do Pass 7-0

PROPOSAL NO. 197, 2010 (Special Ordinance)

INTRODUCED: 06/28/2010 BY: Councillor Speedy

REFERRED TO: Utility Transfer Oversight Committee

DIGEST: approve and authorize the execution of asset purchase agreements to provide for the transfer of the water system and the wastewater system of the City of Indianapolis, Indiana and amending the Revised Code to create the utility monitoring fund

COMMITTEE ACTION:

07/19/2010 Do Pass 7-4

XIII. SPECIAL SERVICE DISTRICT COUNCILS

XIV. NEW BUSINESS

XV. ANNOUNCEMENTS AND ADJOURNMENT

The President The docketed agenda for this meeting of Council having been completed, the Chair will now entertain motions for adjournment.

President's Designee Mr. President.

The President The Chair recognizes Councillor Pfisterer.

The Councillor Mr. President, I have been asked to offer the following motion for adjournment:

by All Councillors in memory of former Councillor Steve West.

by All Councillors in memory of Edward Lutz.

by All Republican Councillors in memory of Jerry Young.

by Councillor McQuillen in memory of Gale L. McGrew.

by Councillor Pfisterer in memory of Vernon Brizendine and Frank E. Toner.

Mr. President, I would like to move the adjournment of this meeting of the Indianapolis City-County Council in recognition of and respect for the life and contributions of those persons I have here specifically named. I respectfully ask the support of fellow Councillors. I further request that the motion be made a part of the permanent records of this body and that a letter bearing the Council seal and the signature of the President be sent to the family of each person advising of this action.

The President

Thank you, Councillor Pfisterer. Hearing no objections, the motion is received and the requests are so ordered.

Hearing no further motions, we are adjourned.

XVI. PENDING PROPOSALS

PROPOSAL NO. 371, 2009 (General Ordinance)

INTRODUCED: 10/05/2009 BY: Councillors Hunter and Mansfield

REFERRED TO: Community Affairs Committee

DIGEST: amends the Code with respect to nonsmoking areas

COMMITTEE ACTION:

10/14/2009 Do Pass As Amended 4-2

COUNCIL ACTION:

10/26/2009 Indecisive Vote 12-13

10/26/2009 Tabled 14-13

11/09/2009 Overruled Chair's Decision on Tabling 12-16

11/09/2009 Postpone until 11/30/2009 28-0

11/30/2009 Returned to Committee 20-7

COMMITTEE ACTION:

12/30/2009 Postpone until 4/14/2010 4-0

04/14/2010 Tabled 6-0

PROPOSAL NO. 39, 2010 (General Ordinance)

INTRODUCED: 02/01/2010 BY: Councillor Coleman

REFERRED TO: Parks and Recreation Committee

DIGEST: amends the Code to clarify provisions with respect to possession of firearms on park property

COMMITTEE ACTION:

02/25/2010 Tabled 4-3

PROPOSAL NO. 79, 2010 (Council Resolution)

INTRODUCED: 02/22/2010 BY: Councillors Sanders, Mansfield, Minton-McNeill, Lewis, Moriarty Adams, MahernB, Bateman, Nytes, Oliver and Evans

REFERRED TO: Rules and Public Policy Committee

DIGEST: supports an open and transparent discussion concerning the proposal to sell or to otherwise dispose of water-related resources, water facilities, assets and properties of Indianapolis Water, and that any such disposition or decision to retain such assets be a matter reserved to the City-County Council

COUNCIL ACTION:

02/22/2010 Referred to Committee

COMMITTEE ACTION:

03/31/2010 Postpone until 04/13/2010

04/13/2010 Tabled 4-3

PROPOSAL NO. 145, 2010 (Fiscal Ordinance)

INTRODUCED: 04/26/2010 BY: Councillor Sanders

REFERRED TO: Parks and Recreation Committee

DIGEST: reduces the \$27,562,000 appropriation to the Capital Asset Development Capital Project Fund by \$3,500,000 and approves an additional appropriation of \$3,500,000 in the 2010 Budget of the Department of Parks and Recreation (Parks General Fund) to fund pool improvements and pool related operating costs at Wes Montgomery Park

XVI. PENDING PROPOSALS

PROPOSAL NO. 154, 2010 (General Ordinance)

INTRODUCED: 05/17/2010 BY: Councillors McHenry and Cain

REFERRED TO: Parks and Recreation Committee

DIGEST: amends the Code to adopt a new Sec. 621-128 prohibiting parking in parks after closing and to amend Sec. 103-52 establishing penalties for violations

COMMITTEE ACTION:

05/20/2010 Do Pass As Amended 7-0

COUNCIL ACTION:

06/07/2010 Returned to Committee

PROPOSAL NO. 183, 2010 (General Ordinance)

INTRODUCED: 06/07/2010 BY: Councillors Lutz, Speedy, Hunter, Scales, Freeman, Rivera, McQuillen, Cardwell, Day and McHenry

REFERRED TO: Rules and Public Policy Committee

DIGEST: amends the Code to consolidate the department of waterworks board of directors into the board of public works

COMMITTEE ACTION:

07/06/2010 Tabled 7-0

PROPOSAL NO. 196, 2010 (General Resolution)

INTRODUCED: 06/28/2010 BY: Councillor Evans

REFERRED TO: Rules and Public Policy Committee

DIGEST: urges the State of Arizona to repeal SB 1070, that no other state enact similar law, that the U.S. Congress consider and act expeditiously to enact comprehensive immigration reform, and that the City and County neither hold nor attend official meetings in the State of Arizona, nor enter into any new contract for goods or services with vendors situated in Arizona until the new Arizona immigration law is repealed

COMMITTEE ACTION:

07/06/2010 Tabled 7-0